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REMARKS

In the Office Action dated September 13, 2006, claims 1-4, 6-12, 15-17, 19-36, and 39-53 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,691,227 (Neves); claims 5, 13, 18, 37, and 38 were rejected under § 103 over Neves in view of U.S. Patent No. 6,272,129 (Dynarski); and claims 1-53 were rejected under § 103 over U.S. Patent No. 6,792,461 (Hericourt) and U.S. Patent No. 6,880,086 (Kidder).

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REJECTION OVER NEVES

All independent claims were rejected as being anticipated by Neves. It is respectfully submitted that Neves does not teach or suggest all elements of the claimed invention.

Claim 1 recites assigning a single domain name to a set of server IP addresses corresponding to plural servers, receiving a request for the domain name from the client IP address, retrieving a set of IP routes linking the server IP addresses and the client IP address, and selecting an IP route from the set of routes which meets predetermined criteria.

The Office Action cited the following passages of Neves as disclosing the assigning of a single domain name to a set of server IP addresses corresponding to plural servers: column 1, line 30; column 2, line 51; column 6, line 17. Column 1, line 30, of Neves refers to a local area network (LAN). Column 2, line 51 refers to a dynamic domain name service (DDNS). Finally, column 6, line 17, of Neves teaches that when the same client communicates with a different server, a different masquerading address and port may be used. Nowhere within any of the cited passages of Neves is there any teaching of assigning a single domain name to a set of server IP addresses corresponding to plural servers.

It is important to note that Neves teaches use of network address translation to masquerade a client's network address when the client wishes to communicate with a server. Neves, 5:63-6:5. To perform the masquerading, a host providing NAT maintains an address translation table, with one entry provided for each established connection. Neves, 6:6-8. When a connection is established, the NAT host establishes an entry in a table corresponding to the client and server host addresses and ports, and the NAT host assigns a masquerading IP address and port, which is the public IP address and port. Neves, 6:7-14.

Thus, there is no teaching in Neves of receiving a request for the single domain name from a client IP address, and retrieving a set of IP routes linking the server IP addresses and the client IP address from which an IP route can be selected, as recited in claim 1. All that occurs in Neves is network address translation to enable the client's private address to be hidden from public view.

The Office Action identified column 8, line 43, and Fig. 6 of Neves, as disclosing the receiving of a request for a domain name from a client IP address. The cited passage of Neves refers to the fact that a packet transmitted from a client to a server may be a packet in an already-established connection, or a connect request packet. Neither the packet that is sent in

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an already-established connection or a connect request packet mentioned in the cited passage of Neves constitutes a request for a domain name received from a client IP address.

Even more fundamentally, in response to the packet referred to in the cited passage in column 8 of Neves, there is no retrieving of a set of IP routes linking the server IP addresses and the client IP address. The Office Action cited column 6, lines 19-31, of Neves as disclosing the retrieving of a set of IP routes linking the server IP addresses and the client IP address. The cited passage refers to translation performed on IP addresses by a network address translator. The translation of IP addresses performed by the NAT host in Neves clearly does not constitute retrieving a set of IP routes linking the server IP addresses and *the* client IP address, where *the* client IP address refers to the client IP address from which a request for the domain name is received, as recited in claim 1.

In view of the foregoing, it is respectfully submitted that claim 1 is clearly not anticipated by Neves. Independent claims 15 and 25 are similarly allowable over Neves. Dependent claims are allowable for at least the same reasons as corresponding independent claims.

In view of the allowability of the base claims over Neves, it is respectfully submitted that the obviousness rejection of dependent claims over Neves and Dynarski has also been overcome.

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REJECTION OVER HERICOURT AND KIDDER

The Office Action rejected all claims as being obvious over Hericourt and Kidder. It is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to Hericourt and Kidder for at least the following reasons: (1) no motivation or suggestion existed to combine the teachings of the references; and (2) the hypothetical combination of the references does not teach or suggest all elements of the claim. *See* M.P.E.P. § 2143 (8th ed., Rev. 5), at 2100-126.

The Office Action cited column 3, lines 30-36, of Hericourt for the proposition that a domain name is assigned to a set of server IP addresses corresponding to plural servers. In the rejection, the Office Action placed the term "single" in parentheticals to apparently indicate that Hericourt does not teach the "single" domain name recited in claim 1. However, it is also important to note that Hericourt also does not disclose assigning a domain name to a set of server IP addresses corresponding to plural servers. The cited passage in column 3 of Hericourt describes the use of DNS to translate names of computers into numerical Internet addresses. This is a typical DNS feature, in which one domain name is assigned to one Internet address. There is absolutely nothing in Hericourt to even remotely suggest that a domain name can be assigned to a set of server IP addresses corresponding to plural servers.

The Office Action also cited passages in columns 19 and 20 of Hericourt. Column 19 refers to a policing manager that handles an IP datagram that contains a single source IP address and a single destination IP address. There is absolutely nothing in column 19 to even remotely suggest that a set of server IP addresses can be assigned to a single domain name. This is true also of the column 20 passage cited by the Office Action.

The Office Action correctly conceded that Hericourt does not disclose assigning a single domain name to a set of server IP addresses. 9/13/2006 Office Action at 9. However, the Office Action cited Kidder as disclosing the feature that is missing from Hericourt. The Office Action cited column 13, lines 5-48, of Kidder, which describes a network management system (NMS) database. The cited passage of Kidder refers to the fact that communications networks can include domains in various geographical locations, and that each domain may include an NMS database. The cited passage also refers to the fact that each domain can include multiple network devices and an NMS database. Also, the cited passage of Kidder states that one NMS client can be coupled with multiple NMS servers. Although Kidder refers

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to the fact that a single domain can include multiple network devices and NMS clients and servers, there is no mention in the cited passage of Kidder, or anywhere else in Kidder, of assigning a single *domain name* to a set of server IP addresses. The fact that a particular domain can include multiple network devices does not suggest that a single domain name is assigned to a set of server IP addresses. More fundamentally, Kidder clearly does not disclose or suggest receiving a request for the single domain name from a client IP address, and then retrieving a set of IP routes linking the server IP addresses and the client IP address (from which a request for the domain name was received).

Since neither Hericourt nor Kidder teaches or suggests all elements of claim 1, it is respectfully submitted that the *prima facie* case of obviousness is defective for at least this reason.

Moreover, there clearly did not exist any motivation or suggestion to combine the teachings of Hericourt and Kidder to achieve the claimed invention. As discussed above, Hericourt relates to using a conventional DNS feature in which one domain name is assigned to one Internet address. Kidder also provides no suggestion of assigning the one domain name to multiple server IP addresses. Therefore, it is respectfully submitted that a person of ordinary skill in the art would not have been motivated to combine the teachings of Hericourt and Kidder to achieve the claimed subject matter. Thus, the *prima facie* case of obviousness is defective for at least this further reason.

Independent claims 15 and 25 are allowable over Hericourt and Kidder for similar reasons. Dependent claims are allowable for at least the same reasons as corresponding independent claims.

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CONCLUSION

In view of the foregoing, allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (10006946-1).

Respectfully submitted,

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